

HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VALVE CORPORATION,

Petitioner,

v.

ABBRUZZESE et. al.,

Respondents.

No. 2:24-cv-1717-JNW

**VALVE CORPORATION’S (I) NOTICE
OF VOLUNTARY DISMISSAL UNDER
RULE 41(a)(1)(A)(i) OR (II) IN THE
ALTERNATIVE, LCR 7(l) NOTICE OF
WITHDRAWAL OF PETITION AS TO
RESPONDENTS TYLER KEMP, CODY
STEWART AND KYLE JACKSON**

On October 18, 2024, Petitioner Valve Corporation brought in this Court, pursuant to the Federal Arbitration Act, 9 U.S.C. § 4, a petition to enjoin arbitrations (“Petition”) pending before the American Arbitration Association (“AAA”). (Dkt. 1.) Valve now hereby voluntarily dismisses under Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure—or, in the alternative, withdraws under Local Civil Rule 7(l)¹—its Petition with respect to two

¹ Valve’s position is that the Petition is properly treated as a motion and therefore withdrawal under Local Civil Rule 7(l) is appropriate. *See Moses H. Cone Mem’l Hosp. v. Mercury Constr. Corp.*, 460 U.S. 1, 22 n.26 (1983) (petition for order under Section 4 of the FAA “was properly treated procedurally

Respondents (“Concluded Respondents”) because their arbitrations are now closed:

1. Tyler Kemp
2. Cody Stewart

Valve also voluntarily dismisses, or in the alternative, withdraws, its Petition with respect to the following additional Respondent whose arbitration is also closed:

3. Kyle Jackson

A. The Arbitrations of the Concluded Respondents Ended With Awards In Valve’s Favor, Rendering Relief In This Action Moot As To Them

The Concluded Respondents’ arbitrations ended with final merits awards in Valve’s favor on all of their claims against Valve.² On July 23, 2025, Valve filed a separate Petition to Confirm Arbitration Award Pursuant to RCW 7.04A.220 and for a Judgment Pursuant to RCW 7.04.A.250 in the Superior Court for the State of Washington in and for King’s County with respect to each of the Concluded Respondents. (*See* Ex. 1 (Kemp Petition To Confirm); Ex. 2 (Stewart Petition To Confirm).)

As the arbitrations of both of the Concluded Respondents are now closed (Ex. 1 at 2), Valve’s Petition has become moot with respect to those arbitrations. Valve accordingly no longer seeks any relief in this action with respect to the Concluded Respondents. Therefore, Valve hereby voluntarily dismisses—or, in the alternative, withdraws—its Petition as to the

as a motion”); L.R.Civ.P. 7(l) (“A moving party may withdraw its own pending motion by filing a Notice to Withdraw Pending Motion.”). On December 2, 2024, this Court issued an order stating that “the Court construes the Petition at this point as a complaint.” (Dkt. 46.) Valve therefore submits this notice under both Rule 41(a)(1)(A)(i) and Local Civil Rule 7(l) in the alternative.

² While the parties disputed whether Respondents could proceed in arbitration, the arbitrator permitted the arbitrations to proceed to final awards. (Ex. 1 at 2.)

1 Concluded Respondents. No Concluded Respondent has filed an answer or a motion for
2 summary judgment.

3 **B. Respondent Kyle Jackson Voluntarily Withdrew His Arbitration**

4 Valve also voluntarily dismisses or, in the alternative, withdraws, its Petition with
5 respect to Respondent Kyle Jackson. On June 4, 2025, Mr. Jackson voluntarily withdrew his
6 arbitration from the AAA, and the AAA accordingly closed Mr. Jackson's arbitration. (Ex. 3
7 (email from AAA closing Mr. Jackson's arbitration).) Valve is therefore no longer seeking any
8 relief with respect to Mr. Jackson, rendering its Petition with respect to Mr. Jackson moot.
9 Mr. Jackson likewise has not filed an answer or a motion for summary judgment, and no counsel
10 for Mr. Jackson has appeared in this action.

11 DATED this 24th day of July 2025.

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